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**IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF UTAH, CENTRAL DIVISION**

AMERICAN FARM BUREAU
FEDERATION, et al.,

Plaintiffs,

v.

U.S. DEPARTMENT OF INTERIOR, et al.,

Defendants,

v.

SOUTHERN UTAH WILDERNESS
ALLIANCE, CONSERVATION LANDS
FOUNDATION, and THE WILDERNESS
SOCIETY,

Proposed Defendants-Intervenors.

Case No. 2:24-cv-00665-DBB-DAO

**SUWA GROUPS’
[PROPOSED] RESPONSE TO
PLAINTIFFS’ COMPLAINT**

Judge David Barlow
Magistrate Judge Daphne Oberg

Pursuant to DUCivR 7-4(b)(2), Defendant-Intervenors Southern Utah Wilderness Alliance (“the SUWA Groups”) *et al.* submit this response to Plaintiffs State of Utah *et al.*’s Complaint (Dkt. No. 1). Federal Defendants’ decision and agency action finalizing the Conservation and Landscape Health Rule (“Public Lands Rule”) is supported by substantial evidence and is not arbitrary and capricious. Therefore, the Court should uphold the Public Lands Rule in its entirety.

Additionally, the SUWA Groups raise the following affirmative defense:

1. Plaintiffs fail to state a claim upon which relief may be granted.
2. Plaintiffs lack standing to bring some or all of its claims.
3. Plaintiffs have failed to properly establish subject matter jurisdiction.
4. Plaintiffs have failed to demonstrate that some or all of its claims are ripe for judicial review.
5. Some or all of Plaintiffs’ action are barred due to its failure to exhaust administrative remedies.
6. SUWA Groups reserve the right to amend this Response as additional information permits assertion of additional defenses.

Respectfully submitted September 20, 2024.

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**Pro hac vice applications pending*

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